

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

DAVID BISHOP,

**Plaintiff,**

**V.**

**LG CHEM AMERICA, INC.**

**VGOD, INC., LA VAPOR, INC., and  
VAPOR BEAST LLC,**

## Defendants.

**Case No. 2:19-cv-2127-SHL-dkv**

**PLAINTIFF'S MOTION TO COMPEL**

Plaintiff David Bishop, by and through undersigned counsel, hereby moves the Court to overrule Defendant LG Chem America, Inc.'s objections to Plaintiff's First Interrogatories Nos. 2, 4, and 6 and Defendant LG Chem America, Inc.'s objections to Plaintiff First Request for Production Nos. 3, 4, 5, 10, 11, 14, 15, 21, 28, 43, 45, 47, and 49. In support, Plaintiff states:

1. On October 28, 2019, Plaintiff served his First Interrogatories and First Request for Production of Documents on Defendant LG Chem America, Inc. (“LG Chem”).

2. On November 27, 2019, Defendant LG Chem served its responses and objections to Plaintiff's First Interrogatories, a copy of which is attached hereto as **Exhibit A**, and its responses and objections to Plaintiff's First Request for Production, a copy of which is attached hereto as **Exhibit B**.

3. Defendant LG Chem objected to every discovery request Plaintiff served on Defendant LG Chem.

4. On December 2, 2019, the Court entered its Order Addressing LG Chem’s Motion to Dismiss (Docket No. 114). The Order gave Plaintiff until January 31, 2020 to “engage in and

complete discovery on the issues raised in LG America's Motion to Dismiss."

5. On December 17, 2019, counsel for Plaintiff and LG Chem participated in a telephone conference to discuss LG Chem's objections to Plaintiff's discovery. During this call, LG Chem agreed to only respond to Plaintiff's Request for Production Nos. 31, 34, 39, 40, 53, and 54.

6. Interrogatories Nos. 2, 4, and 6 and Requests for Production Nos. 3, 4, 5, 10, 11, 14, 15, 21, 28, 43, 45, 47, and 49 seek information and documents that are critical for Plaintiff to address the "issues raised" in LG Chem's Motion to Dismiss and is the discovery which the Court authorized Plaintiff to conduct.

7. In order to comply with the Court's Order and obtain information and documentation necessary to prepare and file a supplemental response in opposition to Defendant LG Chem's Motion to Dismiss, Plaintiff needs the information and documents responsive to these interrogatories and requests for production on or before January 14, 2020.

8. In accordance with Local Rule 7.2, counsel for Plaintiff and counsel for LG Chem consulted and were unable to come to an agreement on the controversy set forth in this motion. A Certificate of Consultation is attached hereto as **Exhibit C**.

9. Plaintiff incorporates by reference its Memorandum in Support of this Motion as if set forth fully herein.

WHEREFORE, Plaintiff asks the Court to overrule Defendant LG Chem's objections to Interrogatories Nos. 2, 4, and 6 and Requests for Production Nos. 3, 4, 5, 10, 11, 14, 15, 21, 28, 43, 45, 47, and 49, order that Defendant LG Chem answer the interrogatories and provide responsive documents on or before January 14, 2020, and for such other relief as the Court deems just and proper.

Respectfully submitted,

/s/ John M. Tyner

David Brose (MO# 56244)  
John M. Tyner (MO# 58864)  
LANGDON & EMISON LLC  
911 Main Street  
P.O. Box 220  
Lexington, Missouri 64067  
Phone: 660-259-6175  
Fax: 660-259-4571

David W. Hill (#019426)  
Jason Yasinsky (#029514)  
NAHON, SAHAROVICH & TROTZ, PLC  
488 South Mendenhall Road  
Memphis, Tennessee 38117  
Phone: 901-683-2751  
Fax: 901-746-1510  
*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing has been filed with the Clerk of the United States District Court for the Western District of Tennessee on December 20, 2019, using the CM/ECF system. The Court's CM/ECF system will send an email notification of the foregoing filing to the all counsel of record who are registered with the Court's CM/ECF system.